

HOUSE BILL NO. 26
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES HUDSON, Boyer, Gruenberg, Lincoln

Introduced: 1/21/91

Referred: State Affairs, Health, Education and Social Services, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to absences from the state for purposes of determining eligibility of**
2 **seniors for certain benefits; and providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 43.23.005 is amended by adding a new subsection to read:

5 (f) Notwithstanding the requirements in AS 43.23.095(7) relating to absences from the
6 state, a person who is absent from the state during a year for a period that does not exceed 180
7 consecutive days remains eligible to receive a permanent fund dividend for that year if the person
8 is

9 (1) at least 65 years of age on the date of application; and

10 (2) otherwise eligible to receive the dividend.

11 *** Sec. 2.** AS 47.45.030 is amended to read:

12 **Sec. 47.45.030. ABSENCE FROM THE STATE.** After qualification, a recipient shall
13 notify the commissioner of administration when the recipient expects to be absent from the state
14 if the absence is for a continuous period that exceeds 30 days. After that notification, the

1 recipient may no longer receive bonuses from the Department of Administration after the last
2 regularly approved monthly application. Upon returning to the state, the recipient may again
3 make application for a bonus. Whenever the absence is for a continuous period that exceeds 180
4 [90] days the recipient shall be disqualified from receiving bonuses for the next 12 calendar
5 months after returning to the state. However, when the commissioner determines a period of
6 absence is beyond the control of the recipient, the recipient may not be disqualified if the
7 recipient still otherwise qualifies upon returning to the state. Continual absences from the state,
8 even though reported, and failure to notify the commissioner of an expected absence may be
9 grounds for disqualification.

10 * Sec. 3. AS 47.45.070 is amended to read:

11 Sec. 47.45.070. UNQUALIFIED PERSONS. An unqualified person is one who

12 (1) does not meet the age or residence requirements as provided for under this
13 chapter;

14 (2) meets the age and residence requirements of this chapter but either is confined
15 in a state or federal mental health institution or facility and is certified by the state as unable to
16 manage personal affairs, or resides in a nursing home as that term is defined in AS 08.70.180;
17 however, if that person, at the time of commitment or commencement of residence, provided the
18 principal support of a spouse, the commissioner of administration may determine to pay the
19 confined person's bonus to the person's spouse until the spouse is qualified for a bonus;

20 (3) is otherwise qualified but confined in a penal or correctional institution or
21 facility; upon completion of sentence or upon the conferral of a pardon, parole or probation, the
22 person may make application; confinement outside the state shall be considered as residence in
23 the state if a person was convicted and sentenced from a court in Alaska; revocation of parole
24 or probation shall be cause for immediate disqualification until release from confinement is again
25 effected;

26 (4) is disqualified under AS 47.45.030 [VOLUNTARILY LEAVES THE STATE
27 AND REMAINS ABSENT FROM THE STATE FOR A CONTINUOUS PERIOD OF MORE
28 THAN 90 DAYS].

29 * Sec. 4. This Act takes effect January 1, 1992.